

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA *ex rel.*
James Banigan and Richard Templin, et. al.,

Plaintiffs,

v.

ORGANON USA INC., et. al,

Defendants.

CIVIL ACTION NO.
07-12153-RWZ

**FOURTH JOINT STATUS REPORT REGARDING STAY AS TO
THE ORGANON DEFENDANTS PENDING SETTLEMENT NEGOTIATIONS**

Plaintiff-Relators James Banigan and Richard Templin (“Relators”) and Defendants Organon USA Inc., Organon Biosciences N.V., Organon International, Inc., Organon Pharmaceuticals USA, Inc., Schering-Plough Corporation, and Merck & Co., Inc. (the “Organon Defendants”) jointly file this Fourth Status Report in connection with the parties’ Joint Motion to Stay, granted by this Court on January 10, 2014 and extended on March 7, 2014, May 9, 2014 and July 8, 2014.

The Parties continue to be engaged in settlement discussions and believe that an additional 60 days is needed to finalize those negotiations. The parties have reached agreement on the terms of the agreements between the Organon Defendants and the respective states and those agreements have been circulated for the states’ respective review and approval. That process is expected to be completed by mid-October. The Organon Defendants and Relators are close to finalizing agreements governing this matter and Relators’ Houston, Texas suit against the Organon Defendants.

Thus, good cause exists for a continuation of the stay, including the public interest in voluntary dispute resolution, judicial economy, and for the Parties to avoid legal fees that will prove unnecessary should the Parties reach a voluntary resolution.

Relators and the Organon Defendants therefore request that the Court extend the stay as to the Organon Defendants for 60 days from the expiration of the Court's previous stay order, with another report on the progress of settlement negotiations to be filed no later than five days in advance of the termination of the extended stay.

Respectfully submitted,

**ORGANON USA INC., MERCK & CO., INC.,
SCHERING PLOUGH CORP., ORGANON
PHARMACEUTICALS USA, INC.,
ORGANON BIOSCIENCES N.V.,
ORGANON INTERNATIONAL, INC.,**

**JAMES BANIGAN AND RICHARD
TEMPLIN,**
Plaintiffs.

By their attorneys,

s/ David D. Fauvre
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Dated: September 8, 2014

CERTIFICATE OF SERVICE

I, David Fauvre, hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on this 8th day of September 2014.

/s/ David Fauvre
David Fauvre

Dated: September 8, 2014